

The Gazette of India



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NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 15th October 1949 :—

S. No.	No. and date	Issued by	Subject
1	No. 119/E., dated the 8th October 1949.	Ministry of Defence	A combined examination for selection of candidates for entry into the Military wing of the Armed Forces Academy and the Air Force Academy of the Royal Indian Air Force will be held in February 1950 at different centres.
2	No. 120/E., dated the 10th October 1949.	Ditto.	Amendments in the Civilian in Defence Services (Revision of Pay) Rules, 1947.
	No. 121/E., dated the 10th October 1949	Ditto.	Ditto.

Copies of the Gazette Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART I—Section 3

Government of India, Ministry of Defence, Notifications relating to Rules, Regulations, Orders and Resolutions, etc.

MINISTRY OF DEFENCE

New Delhi, the 15th October 1949

CANTONMENTS—REGULATIONS

No. 1753.—The following bye-laws for regulating the control of rickshaws plying for hire and the grant of licenses to proprietors or drivers of such rickshaws in Dinapore Cantonment, made by the Cantonment Board, Dinapore, in exercise of the powers conferred by clauses (25), (26) and (27) of section 282 and section 283 of the Cantonments Act, 1924 (II of 1924), are published for general information, the same having been previously published, approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

Bye-laws for the control of rickshaws plying for hire and the grant of licenses to proprietors or drivers of such rickshaws in the Dinapore Cantonment.

1. In these bye-laws, unless there is anything repugnant in the subject or context,—

(a) “the Cantonment Board” means the Cantonment Board, Dinapore;

(b) “driver” means the person who propels the rickshaw,

(c) “Licensing Officer” means the Cantonment Executive Officer;

(d) “proprietor” includes the person in whose name a rickshaw is licensed;

(e) “rickshaw” includes a bicycle rickshaw plying for hire within the Cantonment limits for conveyance of passengers or luggage;

(f) “stand” means any place outside a rickshaw yard or premises fixed by the Cantonment Board where rickshaws plying for hire can be kept.

2. No proprietor shall let on hire or allow to ply or offer for hire nor shall a driver ply or offer for hire a rickshaw within Cantonment limits, unless the rickshaw has been licensed under these bye-laws.

3. No person shall drive or propel a rickshaw on payment within the Cantonment limits, except under a license granted to him under these bye-laws, and no proprietor shall allow it to be so driven or propelled by a person who is not licensed.

4. (a) Every proprietor and every driver of rickshaw desirous of obtaining a license shall make an application in Form A or B appended to these bye-laws as the case may be, to the Cantonment Executive Officer.

(b) On receipt of an application the Cantonment Executive Officer shall fix a date for the purpose of granting a license if an application for license is made by a proprietor, the Cantonment Executive Officer shall ask the proprietor to produce his rickshaw for inspection on the date fixed. On the date so fixed, the Cantonment Executive Officer may either grant or refuse a license. If a license is refused, he shall record his reasons therefor.

(c) Every license granted under this bye-law shall be in Form C or D as the case may be. Form D will bear the left hand thumb-impression or signature of the driver.

5. A license granted or renewed under these bye-laws shall expire on the 31st March following the date of its grant or renewal.

6. (a) The Cantonment Executive Officer shall cause to be painted, at the cost of the Board, on a conspicuous part, of and on the lamps of every rickshaw, duly licensed, the number given to that rickshaw.

(b) Every proprietor shall keep the number of rickshaw legible. If the number becomes illegible he shall apply to the Cantonment Executive Officer who shall get it repainted at the cost of the Board.

7. No rickshaw shall be licensed unless it satisfies the following conditions:—

(a) The rickshaw shall not be less than 3 feet 6 inches in width measured over the wheels and the seat shall not be more than 36 inches wide.

(b) The body of the rickshaw shall be sound and clean and all the boards strong and properly secured.

(c) The wheels shall be rubber-tyred strong and sound so as to run evenly and without rattling or shaking, and shall be protected by properly fitted splash boards.

(d) The springs and axles shall be made of good metal strong and properly riveted and free from rust.

(e) On every rickshaw there shall be an ordinary good bell or horn so fixed as to enable the driver to use it.

(f) The iron supports at the back shall be properly curved and securely fixed at each side. They shall be strong and of sound metal and free from rust.

(g) The shafts shall be of iron securely fixed.

(h) The hood, apron and cushions shall be made of and covered with durable cloth, canvas or similar material. The hood and apron shall be water proof and so fitted as to make the rickshaw water proof.

(i) The body, wheels and shafts shall be painted or varnished or plated.

(j) The frame of the rickshaw shall be made of tubular iron, properly brazed or welded and attached securely to the frame of the cycle. Cycle rickshaws shall be provided with a brake acting on front wheel.

(k) Every rickshaw shall have a good pair of lamps facing forwards. Each lamp shall have a red glass window in the back and shall be so placed that the light from the window is visible from a point ten yards in the rear of the rickshaw.

8. On the transfer of a rickshaw by sale, the license may be transferred on the joint application of the vendor and purchaser to the Cantonment Executive Officer, who shall make necessary alterations in the license on payment of a fee of annas eight. Alterations in the license shall be signed and dated by the Cantonment Executive Officer. If such application is not made within seven days of transfer and if the transferee lets, hires or offers for hire the rickshaw within Cantonment limits he shall be liable to pay the license fee as if the rickshaw was not licensed.

9. (a) The following fees shall be charged by the Board for the grant of licenses to proprietors and drivers—

Rickshaws plying for hire—license fee Rs. 4 per annum per vehicle.

Private rickshaws—license fee Rs. 4 per annum per vehicle.

Drivers—Re. 1 per annum per driver.

A duplicate license shall be issued on payment of a fee of Re. 0-8-0 and Re. 0-2-0 respectively if the original license is defaced, obliterated, lost or destroyed. The license shall be renewed annually on payment of the prescribed fee for the grant of a license.

(b) No refund of license fee shall be granted to any person for any reason whatsoever.

10. (a) The Cantonment Executive Officer shall at the time of granting a license, deliver to the driver of a rickshaw free of charge a badge showing the number of the license and the period for which the license is in force.

(b) A duplicate badge may be issued by the Cantonment Executive Officer at the expense of the driver during the term of the license if the original has been lost or stolen or the writing on it has been obliterated.

(c) The driver shall return the badge to the Cantonment Executive Officer if the license is suspended or cancelled.

(d) The driver shall not transfer his license or badge to any person.

11. PARTICULARS OF THE LICENSES GRANTED UNDER THESE BYE-LAWS SHALL BE ENTERED BY THE CANTONMENT EXECUTIVE OFFICER IN THE REGISTER OF LICENSES AS SOON AS A RICKSHAW IS LICENSED. IT SHALL BE ENTERED IN THIS REGISTER AND GIVEN A NUMBER BY WHICH IT SHALL BE KNOWN.

12. (a) Every driver of a licensed rickshaw shall stop it when required to do so by any officer of the Cantonment Board duly authorised in this behalf, for any purpose connected with the bye laws.

(b) Any such officer may enter for the purpose of inspecting it after giving reasonable notice any premises where he has reason to believe a rickshaw is kept.

13. Every proprietor shall produce his license whenever required to do so by the Cantonment Executive Officer or any person or persons duly authorised by him in this behalf.

14. Every licensed driver shall produce his license and badge, and also the license for rickshaws and schedule of rates of hire, whenever required to do so by any person mentioned in bye-law 13. He shall, while plying for hire, wear the badge on his right arm.

15. No license shall be granted to a person to drive or propel a rickshaw on payment of the license fees under these bye-laws unless he is 21 years of age and is physically fit and has satisfactory knowledge of these bye-laws in so far as they affect him.

16. The following shall be the maximum rates of hire to be charged within the Cantonment limits when a rickshaw is hired by distance.

(i) For a mile or part thereof—0-4-0.

(ii) For every subsequent mile or part thereof—0-3-0.

NO DRIVER SHALL BE BOUND TO START UNTIL THE FARE IS PAID OR ARRANGED FOR.

17. The following shall be the maximum rates of hire to be charged when a rickshaw is hired by time:—

(i) For first half hour or part thereof—0-4-0.

(ii) For every subsequent half hour or part thereof—0-3-0.

18. When a rickshaw is sent for from a stand, anna one may be demanded in addition to the rates prescribed in bye-laws 16 and 17.

19. (a) NO RICKSHAW SHALL CARRY MORE THAN TWO PERSONS.

(b) No luggage shall be carried on any rickshaw except a small box or hand bag not exceeding 24" x 15" x 9" in size and 20 seers in weight.

20. Every driver of a rickshaw shall maintain in good condition the schedule of fares in English, or Hindi or Urdu. It shall be shown to passengers or intending passengers if asked for. It may be obtained from the Cantonment Executive Officer on payment of two annas.

21. A licensed driver shall not—

(a) keep his rickshaw on a stand unless he intends to ply for hire;

(b) drive or ply for hire while in a state of intoxication;

(c) drive or ply for hire while suffering from any contagious or infectious disease;

(d) wilfully obstruct or hinder the general traffic or the driver of any other vehicle;

(e) wrongfully prevent another driver from letting his vehicle for hire;

(f) demand or charge more than the maximum fare as laid down in bye-laws 16 and 17;

(g) refuse without reason to fulfill the engagement made by him with the person who has hired his rickshaw or depart before he is discharged in pursuance of such engagement;

(h) knowingly permit his rickshaw to be used by a person suffering from an infectious disease, provided that where no special arrangements for carrying a person suffering from an infectious disease exist, such person may be carried with the written permission of the Executive Officer, Health Officer or of a Sanitary Inspector authorised by the Cantonment Board in this behalf on the following conditions:—

(i) that no person other than the person in immediate charge of the patient is carried with him, and

(ii) that the rickshaw is disinfected immediately afterwards to the satisfaction of the Health Officer or of a Sanitary Superintendent before it is used for the conveyance of other passengers;

(iii) permit his rickshaw to be used for the conveyance of a corpse of a person who has died of an infectious disease;

(iv) refuse to let his rickshaw on hire while it is out plying for hire and is not engaged already;